

Message Text

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ACTION EB-07

INFO OCT-01 ARA-06 ISO-00 COME-00 HEW-02 L-03 CIAE-00

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FM AMEMBASSY MEXICO

TO SECSTATE WASHDC 3526

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E. O. 11652: N/A

TAGS: EINV, BEXP, MX

SUBJECT: PATENTS AND TRADE MARKS LAW

REF: STATE 052952

1. DURING DINNER AT RESIDENCE MARCH 9, AMBASSADOR MENTIONED TO CAMPILLO SAINZ (SECRETARY, INDUSTRY AND COMMERCE) USG'S CONTINUED CONCERN OVER OVERALL NEGATIVE EFFECTS ON PNVESTMENT OF MEXICO'S NEW PATENTS AND TRADE MARKS LAW, AND POINTED OUT PARTICULAR PROBLEMS FOR U.S. SOFT DRINK FIRMS.

2. CAMPILLO SAINZ MADE REASSURING REMARKS, SAYING COMPANIES WOULD HAVE THREE YEARS TO COMPLY AND EVEN THEN WOULD ONLY HAVE TO INCLUDE MEXICAN IDENTITY IN NAME, AS IS THE CASE IN BRAZIL. HE WENT SO FAR AS TO HINT AT LIBERAL ENFORCEMENT 5-6 YEARS IN THE FUTURE--THOUGH, OF COURSE, THIS WOULD BE DURING ANOTHER MEXICAN ADMINISTRATION.

3. WHEN AMBASSADOR CONTINUED TO VOICE CONCERNS OVER LONG-TERM ASPECTS OF MATTER, CAMPILLO SAINZ ADMITTED THAT GOM WAS RESPONSIVE TO COMPLAINTS OF MEXICAN WHOLLY-OWNED SOFT DRINK COMPANIES THAT U.S. FIRMS ENJOYED THE LION'S SHARE OF THE MARKET, E.G. UNDER NAMES "COCA COLA" AND "FANTA", COCA COLA COMPANY HAS 48 PERCENT MEXICAN MARKET. AMBASSADOR REPLIED THAT IN THIS RESPECT, MEXICO NO DIFFERENT FROM MOST OTHER PARTS OF WORLD WHEN CONSUMER RECOGNITION OF

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QUALITY OF COCA COLA, PEPSI COLA AND OTHER U.S. BRANDS

WAS REFLECTED IN MARKET PURCHASES.

4. DURING TELEPHONE CALL MARCH 10 ON SEPARATE MATTER,
CAMPILLO SAINZ RETURNED TO PATENTS AND TRADE MARK QUESTION,
SAYING HE WAS MUCH AWARE OF U.S. CONCERNS AND OFFERED FURTHER
ASSURANCES THAT FOREIGN INVESTMENT WOULD NOT BE INJURED.
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